

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LIBERTARIAN PARTY OF
PENNSYLVANIA; THE CONSTITUTION
PARTY OF PENNSYLVANIA; GREEN
PARTY OF PENNSYLVANIA; STEVE
SCHEETZ; KEVIN GAUGHEN; ALAN
SMITH; TIMOTHY RUNKLE; BOB
GOODRICH; and JUSTIN MAGILL,

Plaintiffs,

v.

TOM WOLF, in his official capacity of
Governor of the Commonwealth of
Pennsylvania; KATHY BOOCKVAR, in
her official capacity as Secretary of the
Commonwealth of Pennsylvania; and
JONATHAN M. MARKS, in his official
Capacity as Deputy Secretary for Elections
and Commissions,

Defendants.

CIVIL ACTION NO. 20-2299

ORDER

AND NOW, this 14th day of July, 2020, after considering: (1) the complaint filed by the plaintiffs, Libertarian Party of Pennsylvania, The Constitution Party of Pennsylvania, Green Party of Pennsylvania, Steve Scheetz, Kevin Gaughen, Alan Smith, Timothy Runkle, Bob Goodrich, and Justin Magill (Doc. No. 1); (2) the first motion for preliminary injunction/first motion for temporary restraining order filed by the plaintiffs (Doc. No. 3); (3) the response in opposition to the first motion for preliminary injunction/first motion for temporary restraining order filed by the intervenor, Pennsylvania Democratic Party (“PADEMS”) (Doc. No. 25); (4) the memorandum of law in opposition to the first motion for preliminary injunction/first motion for temporary restraining order filed by the defendants, Tom Wolf, in his official capacity as Governor of the

Commonwealth of Pennsylvania, Kathy Boockvar, in her official capacity as Secretary of the Commonwealth of Pennsylvania, and Jonathan M. Marks, in his official capacity as Deputy Secretary for Elections and Commissions (Doc. No. 28); (5) the reply to the response to the first motion for preliminary injunction/first motion for temporary restraining order filed by the plaintiffs (Doc. No. 31); (6) the joint stipulated findings of fact and conclusions of law (Doc. No. 35) and the separately submitted appendix with exhibits; (7) the evidence and argument presented at the evidentiary hearing on the motion for temporary restraining order/preliminary injunction held on June 23, 2020 via videoconference and the deposition held on June 25, 2020 (Doc. No. 36); (8) the plaintiffs' notices of supplemental authority (Doc. Nos. 33, 39, 41, 46, 52, 54); (9) the proposed findings of fact and conclusions of law filed by the PADEMS (Doc. No. 43); (10) the proposed findings of fact and conclusions of law filed by the plaintiffs (Doc. No. 44); (11) the proposed findings of fact and conclusions of law filed by the defendants (Doc. No. 45); (12) the defendants' notice of supplemental authorities (Doc. No. 47); (13) the additional proposed findings of fact and conclusions of law filed by the defendants (Doc. No. 48); (14) the oral argument on the motion for temporary restraining order/preliminary injunction held via telephone on July 8, 2020 (Doc. No. 50); (15) the PADEMS' notice of supplemental authority (Doc. No. 51); and (16) the plaintiffs' statement in response to PADEMS' notice of supplemental authority (Doc. No. 53); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** that the plaintiffs' first motion for preliminary injunction/first motion for temporary restraining order (Doc. No. 3) is **DENIED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.